

1 HANSON BRIDGETT LLP
KURT A. FRANKLIN, SBN 172715
2 kfranklin@hansonbridgett.com
SAMANTHA WOLFF, SBN 240280
3 swolff@hansonbridgett.com
JENNIFER ANIKO FOLDVARY, SBN 292216
4 jfoldvary@hansonbridgett.com
425 Market Street, 26th Floor
5 San Francisco, California 94105
Telephone: (415) 777-3200
6 Facsimile: (415) 541-9366

7 HANSON BRIDGETT LLP
TYSON M. SHOWER, SBN 190375
8 tshower@hansonbridgett.com
LONDON D. BAILEY, SBN 240236
9 lbailey@hansonbridgett.com
500 Capitol Mall, Suite 1500
10 Sacramento, California 95814
Telephone: (916) 442-3333
11 Facsimile: (916) 442-2348

12 OTTEN LAW, PC
VICTOR OTTEN, SBN 165800
13 vic@ottenlawpc.com
KAVITA TEKCHANDANI, SBN 234873
14 kavita@ottenlawpc.com
3620 Pacific Coast Highway, #100
15 Torrance, California 90505
Telephone: (310) 378-8533
16 Facsimile: (310) 347-4225

17 Attorneys for Plaintiffs
CORY SPENCER, DIANA MILENA
18 REED, and COASTAL PROTECTION
RANGERS, INC.
19

20 **UNITED STATES DISTRICT COURT**
21 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
22

23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
individual; and COASTAL
25 PROTECTION RANGERS, INC., a
26 California non-profit public benefit
corporation,

27 Plaintiffs,
28

CASE NO. 2:16-cv-02129-SJO (RAOx)

**DECLARATION OF SHARLEAN
PEREZ IN SUPPORT OF
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

Judge: Hon. S. James Otero

Date: February 21, 2017

Time: 10:00 a.m.

Crtrm.: 10C. 1st Street Courthouse

1
2 v.

3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including but
6 not limited to SANG LEE, BRANT
7 BLAKEMAN, ALAN JOHNSTON
8 AKA JALIAN JOHNSTON,
9 MICHAEL RAE PAPAYANS,
10 ANGELO FERRARA, FRANK
11 FERRARA, CHARLIE FERRARA,
12 and N. F.; CITY OF PALOS
13 VERDES ESTATES; CHIEF OF
14 POLICE JEFF KEPLEY, in his
15 representative capacity; and DOES
16 1-10,

17 Defendants.

Complaint Filed: March 29, 2016
Trial Date: November 7, 2017

18 I, Sharlean Perez, declare as follows:

19 1. I am a long-time resident of Southern California. I have lived in
20 and around Gardena, California, which is about 13 miles from Lunada Bay in
21 the City of Palos Verdes Estates, my entire life. I attended the University of
22 California, Los Angeles (UCLA) for my undergraduate studies. I have been
23 a paralegal for nearly 20 years, and I currently work as a paralegal for the
24 law firm of Manatt, Phelps & Phillips. I have personal knowledge of the
25 matters stated in this declaration and, if called as a witness, could and would
26 testify competently as to its contents.

27 2. I have always been very athletic and enjoy being outdoors.
28 Currently, I sail, scuba dive, and hike for my recreational and physical
activities. Growing up, I participated in soccer, track, and cross country. As
a member of my high school's cross-country team, we used to follow a
course that led us to Lunada Bay Cove. The path down to the cove is

1 somewhat treacherous and the entrance can be hard to find, so it is not the
2 type of location where a lot of visitors would inadvertently stumble upon it. I
3 only knew about Lunada Bay because of training in that area with my cross-
4 country team.

5 3. In 1986, my boyfriend and I decided to stop by Lunada Bay for a
6 nature walk. We planned to walk down the trail, past the bluff that led down
7 to the ocean. We entered Lunada Bay and began heading down the trail,
8 not knowing that it was treated by some as an "exclusive" surf spot.

9 4. As we made our way down the trailhead, I heard the crash of a
10 bottle breaking. I thought that something had either fallen from the bluff
11 above, or perhaps someone had knocked something down onto the trail on
12 accident. However, I looked up to see 2-3 young men assembled at the top
13 of the hill and realized that someone had deliberately thrown the glass bottle
14 down onto our path. The bottle had shattered on the trail. I was surprised,
15 but I ignored the attack and continued following the trail down to the beach
16 so my boyfriend and I could look at the ocean.

17 5. As we made our way back up the hill later that afternoon, there
18 were 2-3 young men gathered at the top of the trail who glared at us as we
19 ascended. I believed these to be the same young men who threw the bottle
20 at us as we descended the hill. It was clear from the young men's hostile
21 behavior that we were not welcome at Lunada Bay.

22 6. I did not realize at the time that the young men's behavior was a
23 form of harassment. It was only once I got older that I understood the young
24 men's behavior was a form of intimidation, and an attempt to keep us out of
25 Lunada Bay. Before this incident, I had heard about the local surfers who
26 "protected" Lunada Bay from visitors, even though it is a public beach.
27 However, I never imagined that they would also bother someone who was
28 simply walking down the trail to look at the ocean at Lunada Bay.

1 7. I am a woman of Latin descent, and I do not know if racism
2 played a role in the men's actions. I am informed and believe, however, that
3 the young men's attitude was motivated, in part, by economics. The Lunada
4 Bay Boys did not want people to use the beach if they were not from Palos
5 Verdes Estates, and they behaved as if the entire beach belonged to them.
6 Even though I attended the same private Catholic high school in Torrance as
7 some of the Bay Boys from Palos Verdes Estates, I was still considered an
8 "outsider" because I did not live in the city of Palos Verdes Estates.

9 8. After the bottle-throwing incident, I never returned to Lunada
10 Bay. I would have liked to visit Lunada Bay more often, but I did not feel
11 safe doing so after how my boyfriend and I were treated. I would have loved
12 to bring my friends from UCLA to Lunada Bay so they could see how
13 beautiful it was—especially since I knew the area—but I was afraid to do so
14 because Lunada Bay had such a bad reputation for localism. I believed and
15 often heard from others that the men at Lunada Bay would harass visitors,
16 throw things at them, or vandalize their cars if they attempted to visit.
17 Therefore, my friends and I avoided Lunada Bay altogether.

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

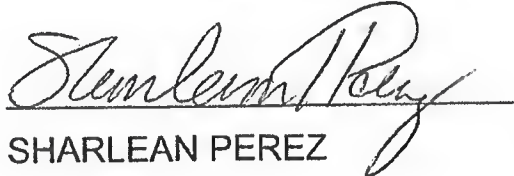
27 ///

28 ///

1 9. I would love to visit Lunada Bay again. I feel passionately about
2 the beach, the environment, and our coast. Our shores are public, and I
3 believe that public access should be guaranteed. However, I will not visit
4 Lunada Bay again until I feel that it is safe to do so. Even though I only live
5 12 miles from Lunada Bay Cove, I have been effectively prevented from
6 visiting Lunada Bay because of the harassing and intimidating behavior of
7 the locals. I will not feel comfortable going back to visit until I can be
8 assured that it is safe to do so without being verbally or physically harassed
9 by the locals at Lunada Bay.

10
11 I declare under penalty of perjury under the laws of the United States
12 of America that the foregoing is true and correct.

13
14 Executed in Gardena, California on December 22, 2016.

15
16 
17 SHARLEAN PEREZ